

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK J. CERCIELLO, M.D.,

Plaintiff,

v.

S. TERRY CANALE, M.D.,

Defendant.

CIVIL ACTION
NO. 12-6933

ORDER

AND NOW, this 31st day of July 2013, upon consideration of the Complaint (Doc. No. 1-2); Defendant's Motion to Dismiss (Doc. No. 3); Plaintiff's Response in Opposition (Doc. No. 4); Defendant's Reply (Doc. No. 6); the arguments of Counsel at the hearing held on January, 28, 2013; Defendant's Supplemental Brief (Doc. No. 10); Plaintiff's Supplemental Brief (Doc. No. 11); Defendant's Supplemental Reply (Doc. No. 14), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** that:

1. Defendant's Motion to Dismiss the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(2) (Doc. No. 3) is **GRANTED**.
2. The Clerk of Court shall close the above-captioned case.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.